

cell.

### **REMARKS**

By the Office Action mailed September 25, 2003, (Paper No. 5) claims 1-40 are pending and stand rejected. In response, Applicant amends the specification and claims as described in detail below. Upon entry of the present response and amendment, claims 1-2 and 4-40 are pending.

#### **1. Objection to the Abstract**

The Office Action objected to the Abstract because the Abstract was allegedly not in proper form. Applicant encloses a substitute Abstract that does not exceed 150 words in length. Accordingly, Applicant submits the objection is obviated.

#### **2. Objection to the Figures**

The Office Action objected to the figures of the drawings because various numbers in the drawings allegedly did not have a description in the specification. Applicant has amended the specification to include a description of numbers 26 and 36 of Figure 1, 107 of Figure 3, and 84 of Figure 8. Thus, Applicant submits the objection has been obviated.

#### **3. Rejection of the Claims under 35 USC § 102(b)**

Claims 1, 2, 8, 9, 14, 15, 17, 18 and 20-22 are rejected under 35 U.S.C. § 102(b) as allegedly being clearly anticipated by the structure of DuBose (U.S. Patent No. 6,013,385). Applicant respectfully traverses this rejection because DuBose is not a proper 102(b) reference, and because DuBose does not disclose all of the claim elements.

DuBose issued on January 11, 2000. The present application claims benefit of U.S. provisional application 60/304,493 filed on October 13, 2000, and this claim of priority is acknowledged in the Office Action. Thus, the earliest effective filing date of the present application is October 13, 2000, less than a year after DuBose issued. Accordingly, Applicant respectfully submits that the rejection of claims 1, 2, 8, 9, 14, 15, 17, 18 and 20-22 under 35 USC § 102(b) is improper and should be withdrawn.

Nonetheless, Applicant amends claim 1 to incorporate the limitations of dependent claim 3, and cancels claim 3. Applicant respectfully submits DuBose does not anticipate claims 1, 2, 8, 9, 14, 15, 17, 18 and 20-22 as amended for at least the reason that DuBose does not disclose an exchange matrix having an average linear coefficient of thermal expansion at 25 to 800° C of less than about  $20 \times 10^{-7}/^{\circ}\text{C}$ .

**4. Rejection of the Claims under 35 U.S.C. § 103**

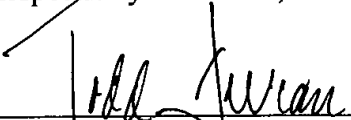
Claims 3-5, 10-13, 16, 19, 25, 26 and 34-40 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious over DuBose in view of Siggelin (U.S. Patent No. 3,176,446) and further in view of other references. Applicant respectfully traverses this rejection because DuBose is not a proper reference and the USPTO has failed to establish a prima facie case of obviousness.

Applicant encloses a statement by co-inventor Ron DuBose indicating that at the time the present invention was made, U.S. Patent No. 6,013,385 and the present invention were commonly-owned or under an obligation to be assigned to Emprise Technology Associates Corporation. In view of this statement, Applicant submits that the DuBose reference has been disqualified and the obviousness rejections have been overcome.

***CONCLUSION***

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1, 2, and 4-40 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,

  
\_\_\_\_\_  
Todd Deveau, Reg. No. 29,526

**THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.**

Suite 1750  
100 Galleria Parkway N.W.  
Atlanta, Georgia 30339  
(770) 933-9500